

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

**TRAVIS WIDNER,**

**Plaintiff,**

**v.**

**JP MORGAN CHASE BANK,**

**Defendant.**

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**CIVIL ACTION NO. \_\_\_\_\_**

**Removed from the Second Judicial  
District Court of Ramsey County,  
Minnesota  
Court File No. 62-CV-20-4327**

**DEFENDANT'S NOTICE OF REMOVAL**

TO: United States District Court  
for the District of Minnesota  
316 North Robert St., Suite 100  
St. Paul, MN 55101

Court Administrator of Ramsey County, Minnesota  
15 W Kellogg Blvd.  
St. Paul, MN 55102

Patrick W. Michenfelder  
THRONSET MICHENFELDER, LLC  
Cornerstone Building  
One Central Avenue W., Suite 101  
St. Michael, MN 55376

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant JP Morgan Chase & Co. ("Chase"), by and through its attorneys, Kathryn C. Palamountain of Seyfarth Shaw LLP, and Marc M. Berg of J. Selmer Law, P.A., hereby file this Notice of Removal with respect to this civil action, Court File No. 62-CV-20-4327, filed in the Second Judicial District Court of Ramsey County, Minnesota. In support of this Notice of Removal, Chase states as follows:

1. Plaintiff Travis Widner ("Widner") commenced a civil action against Chase on July 23, 2020, in the State of Minnesota County of Ramsey District Court, Second Judicial District (the

“State Court”). The lawsuit was filed with the State Court on August 7, 2020 and is recorded on the docket of the State Court as Court File No. 62-CV-20-4327 (“the State Action”). A true and correct copy of Plaintiff’s Original Complaint (the “Complaint”) and the Service of Process Transmittal information provided by CT Corporation, Chase’s agent for service, which indicates that Chase was served on July 23, 2020, is attached as Exhibit A.

2. In accordance with 28 U.S.C. § 1446(b), Chase filed this Notice of Removal within thirty (30) days of the date on which the Complaint was served, and is therefore timely.

3. Venue is proper in this district under 28 U.S.C. § 1441 (a) because this District and division embrace the place where the action was filed.

4. Written notice of the filing of this Notice of Removal is being delivered to Plaintiff through his counsel of record. A copy of the Notice of Filing Notice of Removal also is being filed with the Clerk of the Second Judicial District Court of Ramsey County, Minnesota. A true and correct copy of the Notice of Filing Notice of Removal is attached as Exhibit B.

5. Under 28 U.S.C. § 1331, this Court has original jurisdiction over the instant action because Plaintiff asserts a claim under federal law. In his Complaint, Plaintiff claims that Chase violated Title III of the Americans with Disabilities Act, 42 U.S. C. § 12181-12189. *See*, Ex. A, Compl, ¶¶ 1-10, 20-26, 32-39, 41-55.

6. Because Plaintiff asserts a claim under the laws of the United States, this Court has original federal question jurisdiction over Plaintiff’s action. Accordingly, removal of Plaintiff’s Complaint is proper pursuant to 28 U.S.C. § 1331.

7. Attached as Exhibit C is a copy of all process, pleadings, orders, and other papers or exhibits of every kind on file in the state court. 28 U.S.C. § 1446(a).

8. By filing this Notice of Removal, Chase neither concedes nor waives any defense to this action, including Plaintiff's standing to bring this action and that this Court does not have personal jurisdiction over Chase.

Should Plaintiff seek to remand this case to the State Court, Chase respectfully asks that it be permitted to brief and argue the issue of this removal prior to any order remanding this case. In the event the Court decides remand is proper, Chase asks that the Court retain jurisdiction and allow Chase to file a motion asking the Court to certify any remand order for interlocutory review by the Eighth Circuit Court of Appeals, pursuant to 28 U.S.C. § 1292(b).

WHEREFORE, Chase respectfully removes this action from the Second Judicial District Court of Ramsey County, Minnesota to the United States District Court for the District of Minnesota.

Respectfully submitted,

/s/ Kathryn C. Palamountain

KATHRYN C. PALAMOUNTAIN

*Motion for Pro Hac Vice Admission  
Forthcoming*

Texas Bar No. 24062004

**SEYFARTH SHAW, LLP**

700 Milam, Suite 1400

Houston, Texas 77002

Telephone: (713) 225-2300

Facsimile: (713) 225-2340

Email: [cpalamountain@seyfarth.com](mailto:cpalamountain@seyfarth.com)

/s/ Marc M. Berg

Marc M. Berg

Minnesota Bar No. 20979x

**J. SELMER LAW, P.A.**

250 Marquette Ave. South, Suite 250

Minneapolis, MN 55401

Telephone: (612) 338-6005

Facsimile: (612) 338-4120

Email: [mberg@selmerlaw.com](mailto:mberg@selmerlaw.com)

ATTORNEYS FOR DEFENDANT

JPMORGAN CHASE BANK

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument was served on all counsel of record, as listed below, via First Class U.S. mail and email on August 12, 2020.

Patrick W. Michenfelder

Chad A. Thronset

THRONSET MICHENFELDER, LLC

Cornerstone Building

One Central Avenue West, Suite 101

St. Michael, MN 55376

Tel: (763) 515-6110

Fax: (763) 226-2515

Email: [pat@thronsetlaw.com](mailto:pat@thronsetlaw.com)

Email: [chad@thronsetlaw.com](mailto:chad@thronsetlaw.com)

Attorneys for Plaintiff

/s/ Kathryn C. Palamountain

Kathryn C. Palamountain